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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/467,706	12/20/1999	PAT CONDON	DC-01916(163	2712
27683	7590	06/13/2006	EXAMINER	
HAYNES AND BOONE, LLP 901 MAIN STREET, SUITE 3100 DALLAS, TX 75202			RETTA, YEHDEGA	
			ART UNIT	PAPER NUMBER
			3622	

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/467,706	Applicant(s) CONDON ET AL.	
	Examiner Yehdega Retta	Art Unit 3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 22 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 12-16 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 12-16 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This office action is in response to amendment filed September 26, 2005. Applicant amended claim 14. Claims 1, 4, 12-16 and 19 are still pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, 12-16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dharnipragada (US 6,490,493) in view of Kroening, further in view of Knowles et al. (US 6,182,897).

Dharnipragada teaches a method comprising: manufacturer providing a manufacturer's interface (user computer 10), a manufacturer office unit and a manufacturer plant (see col. 3 lines 13-14); passing elements of the main order to a control unit, controlling manufacturing and supply lines containing plurality of hardware and software components (see col. 8 line 63 to col. 9 line 10); customer entering a special configuration details in the computer (see col. 5 line 1 to col. 6 line 19), passing the order to modification unit (col. 5, lines 50-67); checking the special configuration details for compatibility with a main order (col. 5, lines 5-25); passing the order to a modification unit and then to a validation unit (col. 5, lines 5-25); making configuration details available to a control unit (col. 9, lines 1-15); detecting modification flag and obtaining

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corresponding configuration details (col. 4, lines 10-30, col. 5, lines 30-50); checking configuration details with a database to determine implementation (col. 7, lines 1-63). Dharnipragada teaches logging modifications as they are made (built database see col. 6 lines 47-65). Dharnipragada teaches during the technology selection, the software will provide a variety of recommendations such as selecting a different product or configuration to meet the process requirements and validation checks, etc., (see col. 8 lines 44-62). Kroening teaches the image builder goes through the baseline image file by file and identifies those areas that are different and determines what parts are to be replaced. Further Kroening teaches the image builder determines changes to be made in registry settings and in interrupt settings so that the new software configuration will operate properly on the computing system and if the desired software configuration is not compatible with the hardware of the computer system then the image builder rejects the bill of material as a non-functional configurations (see col. 5 lines 17-35 and col. 7 lines 22-40). It is known in the art to utilize systems comprising a database that maintains a list of compatible components and required testing procedures for the associated components that may be performed during installation to more efficiently produce build to order computer systems. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention for manufacturers, as in Kroening and Dharnipragada, to make sure the supply lines contain a plurality of compatible hardware and selected software components for installation into the computer being manufactured in order to install hardware and software that have compatibility with components included within the computer being manufactured for the purpose of having a system that operates correctly and is free of malfunctioning components.

Kroening teaches manufacturing a computer system and entering appropriate data including details into the computer being manufactured (abstract, summary). It would have been obvious to one having ordinary skill in the art at the time of the invention to have adopted the system of Dharnipragada for manufacturing a computer as in Kroening since Dharnipragada is not limited as to the type of manufacture (col. 9, lines 40-60) and since Kroening would have benefited from the guidance, verification and ordering of Dharnipragada in simplification of specification of the computer and management of the built computers.

Knowles teaches providing a manufacturer web page for entering orders and passing the web page order to manufacturer unit or plant (see abstract, summary, col. 3 line 65 to col. 4 line 6, lines 36-50). It would have been obvious to one having ordinary skill in the art at the time of the invention to provide a web page for sending the order of Dharnipragada since a web page provides easy access to different page with the site, such as credit card transaction or tracking progress of the order via the web site maintained by the manufacturer.

Response to Arguments

Applicant's arguments filed March 22, 2006 have been fully considered but they are not persuasive. Applicant argues that the reference alone or in combination do not teach the control unit detecting any modification details in the main order and obtaining corresponding configuration details from the modification unit. Examiner disagrees. Dharnipragada teaches the device selection sequence of instruction assists the software user in selecting technology that meets the process device requirements and then applying the selected technology to process device requirements to define a specific process device (see col. 5 lines 2-7). During the

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evaluation process when the technology decision is finalized the software can specify a process configuration for a particular model number. The specific process device is defined with a specification sheet created by the specification sheet 22 ... Once the specification is completed the import status of the Tag is removed allowing the Tag to be exported as required for ordering the specified process device. This specific process device definition is then sent to process device manufacturer to initiate building the specified process device (see col. 5 lines 15-65). Therefore, the specification sheet includes modification details to build or each process device. Kroening teaches the image builder coupled to the order entry system selects an appropriate baseline image and determines which incremental images (delta image, containing only additional information beyond the baseline image) are to be layered on top of the baseline image to achieve the desired final configuration. The delta image indicates that there is a modification in the main order (baseline image).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yehdega Retta whose telephone number is (571) 272-6723. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YR


RETTA YEHDEGA
PRIMARY EXAMINER